



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Davis et al.  
 Serial No. : 09/165,522  
 Filed : October 2, 1998  
 Title : JNK3 MODULATORS AND METHODS OF USE

Art Unit : 1652  
 Examiner : M. Rao

Commissioner for Patents  
 Washington, D.C. 20231

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RESPONSE TO OFFICE ACTION DATED SEPTEMBER 11, 2000

Please amend the application as indicated below and consider the following remarks.

In the Claims

Cancel claims 7 to 17 without prejudice as directed to a non-elected invention.

Amend claims 1, 3, and 5, as follows.

- del E1*
1. (Amended) A method of identifying a compound that modulates JNK3 expression, the method comprising:
    - incubating a cell that can express a JNK3 protein with a compound under conditions and for a time sufficient for the cell to express a JNK3 protein absent the compound, wherein the compound is a peptide, a peptidomimetic, a small organic molecule, or a small inorganic molecule;
    - incubating a control cell under the same conditions and for the same time absent the compound;
    - measuring JNK3 expression in the cell in the presence of the compound;
    - measuring JNK3 expression in the control cell; and
    - comparing the amount of JNK3 expression in the presence and absence of the compound, wherein a difference in the level of expression indicates that the compound modulates JNK3 expression.

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